IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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ITA No. 214 of 2015 (O&M)
Date of decision: 04.02.2016

Principal Commissioner of Income Tax, Faridabad ...Appellant

Vs.

Vinod Goyal ...Respondent

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present : Mr. Tajender K. Joshi, Advocate
for the appellant.

Mr. Sanjay Bansal, Sr. Advocate with
Mr. B.M. Monga, Advocate
for the respondent.

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AJAY KUMAR MITTAL, J. (Oral)

On January 25, 2016, there was a dispute between learned counsel for the parties regarding quantum of tax effect involved in this appeal. According to learned counsel for the revenue, the tax effect is ₹ 23,00,546/- whereas learned counsel for the assessee had claimed that the tax effect is approximately ₹ 12.00 lacs to ₹ 13.00 lacs. Learned counsel for the revenue had sought time to verify the said fact.

2. Today, it has been candidly admitted by the learned counsel for the revenue that the tax effect involved is less than ₹ 20 lacs which is the monetary limit prescribed by circular No. 21/2015, dated 10.12.2015 issued by the C.B.D.T., New Delhi. In view of the above circular, learned counsel for the revenue requests for withdrawal of the appeal. However, he prayed that liberty be granted to the revenue to file an application for revival of the appeal in case something survives therein.

3. Dismissed as withdrawn with liberty as prayed for. It is, however, clarified that withdrawal of the appeal by the revenue shall not be

taken to be affirmation of order of the Tribunal on merits. Further, the legal issue as claimed by the revenue is being left open to be adjudicated in an appropriate case.

(AJAY KUMAR MITTAL)
JUDGE

(RAJ RAHUL GARG)
04.02.2016 **JUDGE**
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